

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

<p>RAYMOND ELLIS TEAGUE JR., Plaintiff, vs. SHAWNEE COUNTY, KANSAS, KAYLA ROEHLER, Prosecutor, and LAURA KELLY, Governor of Kansas, Defendants.</p>	<p>4:21-CV-04042-KES ORDER REQUIRING PLAINTIFF TO FILE A CERTIFIED PRISONER TRUST ACCOUNT REPORT</p>
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Plaintiff, Raymond Ellis Teague Jr., filed a pro se civil rights lawsuit under 42 U.S.C. § 1983. Docket 1. Teague moves for leave to proceed in forma pauperis but did not file “a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint” as is required. 28 U.S.C. § 1915; Docket 3.

In order for the court to determine whether Teague’s motion for leave to proceed in forma pauperis should be granted or denied, the court must have a copy of a certified prisoner trust account report. *See In re Prison Litig. Reform Act*, 105 F.3d 1131, 1132 (6th Cir. 1997) (“If an inmate not paying the full filing fee fails to provide an affidavit of indigency or trust account statement, the district court shall notify the prisoner of the deficiency and the prisoner shall have thirty (30) days from the date of the deficiency order to correct the error or

pay the full filing fee. If the prisoner does not comply with the district court's directions, the . . . district court must then order the case dismissed for want of prosecution."); *see also Perry v. Boston Sci. Family*, 2012 WL 694713, at *2 (D. Minn. Feb. 9, 2012), *report and recommendation adopted*, 2012 WL 694700, at *1 (D. Minn. Mar. 1, 2012) (collecting cases holding dismissal appropriate when pro se litigant fails to comply with pauper requirements and court orders). Teague must file his prisoner trust account report by July 14, 2021. Failure to comply with this court's order will result in dismissal without prejudice of Teague's complaint.

Thus, it is ORDERED:

1. That the Clerk of Court mail this order and a blank copy of a prisoner trust account report to Teague.
2. That Teague must complete a certified prisoner trust account report and return it by **July 14, 2021**. Failure to file a certified prisoner trust account report, by **July 14, 2021**, or in the alternative, pay the full filing fee (\$402) will result in dismissal without prejudice of the complaint.

Dated June 14, 2021.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE